IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.11335 of 2008
VIJAY YADAV @ VIJAY RAI
Versus
STATE OF BIHAR

With

Cr.Misc. No.13155 of 2008
NIRAJ PASWAN
Versus
STATE OF BIHAR
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3 16.7.2008 Heard learned counsel for the petitioners and the counsel appearing on behalf of the State.

The petitioners are accused in a case under Sections 363, 365/34 of the Indian Penal Code. Later on Sections 364(A) and 120(B) of the Indian Penal Code is added.

The victim was kidnapped for ransom and he was recovered from the house of one Munilal Yadav on the Statement of Yaswant Kumar. Yaswant Kumar has named these petitioners.

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Counsel appearing on behalf of the petitioners has submitted that this Court should grant bail to the petitioners as all other persons have been granted bail by this Court. Learned counsel for the petitioners further submits that number of persons have been granted bail by this Court including Munilal Yadav from whose house the victim boy was recovered. The victim in his statement under Section 164 Cr.P.C. has named the petitioner Niraj Paswan as one of the kidnappers. I find that in the circumstances aforesaid since Munilal yadav had been granted bail by this Court vide Cr. Misc. No. 53555 of 2007 by order dated 28.11.2007.

Considering the aforesaid facts, petitioner Vijay Yadav

@ Vijay Rai is directed to be released on bail in Motihari Nagar P.S. Case No. 118 of 2007 on furnishing bail bond of rupees ten thousand with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran.

Learned counsel appearing on behalf of Niraj Paswan submits that in the statement under Section 164 Cr.P.C. the name of both Niraj Paswan and Yaswant Kumar have been disclosed by the victim boy. It is further submitted by the learned counsel that Yaswant Kumar has been granted bail by this Court.

In the circumstances, considering the demand of ransom and the heinous crime of kidnapping, my conscious does not allow me to grant bail to the petitioner Niraj Paswan. The bail petition of Niraj Paswan is dismissed.

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Sanjay **(Sheema Ali Khan,J.)**